UNOFFICIAL VERSION

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THURSDAY, MARCH 23, 2017

NINETEENTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Brother Stephen Sutton of Bishop Street Church of Christ in Union City, Tennessee, a guest of Senator Jackson.

PLEDGE OF ALLEGIANCE

Senator Jackson led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Jackson led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 700 and 707.

WATSON, Chairperson March 21, 2017

The Speaker announced that he had referred Senate Bills Nos. 700 and 707 to the Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 38 with amendment, 240, 273, 327, 361, 365, 509, 510, 695 with amendment, 708, 1211 and 1262; and Senate Joint

Resolution No. 180; also, recommend that Senate Bills Nos. 564, 678 with amendment and 1221 with amendment be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson March 21, 2017

The Speaker announced that he had referred Senate Bills Nos. 38 with amendment, 240, 273, 327, 361, 365, 509, 510, 695 with amendment, 708, 1211 and 1262; and Senate Joint Resolution No. 180 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 564, 678 with amendment and 1221 with amendment to the Committee on Finance, Ways and Means.

COMMERCE AND LABOR

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 144 with amendment, 329 with amendment, 611 with amendment, 1167, 1190 with amendment, 1322 and 1369; also, recommend that Senate Bills Nos. 195, 371 with amendment, 704 with amendment, 726 with amendment and 1040 be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson March 21, 2017

The Speaker announced that he had referred Senate Bills Nos. 144 with amendment, 329 with amendment, 611 with amendment, 1167, 1190 with amendment, 1322 and 1369 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 195, 371 with amendment, 704 with amendment, 726 with amendment and 1040 to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 24, 145, 229, 356, 921, 1339 with amendment and 1340; Senate Joint Resolution No. 115; and House Joint Resolution No. 32.

KELSEY, Chairperson March 21, 2017

The Speaker announced that he had referred Senate Bills Nos. 24, 145, 229, 356, 921, 1339 with amendment and 1340; Senate Joint Resolution No. 115; and House Joint Resolution No. 32 to the Committee on Calendar.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 69; also, recommend that Senate Bills Nos. 449 with amendment and 1313 be referred to Committee on Commerce and

Labor; and Senate Bills Nos. 1016 with amendment, 1155 with amendment and 1170 with amendment be referred to Committee on Health and Welfare.

BELL, Chairperson March 22, 2017

The Speaker announced that he had referred Senate Bill No. 69 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 449 with amendment and 1313 to the Committee on Commerce and Labor.

The Speaker announced that he had referred Senate Bills Nos. 1016 with amendment, 1155 with amendment and 1170 with amendment to the Committee on Health and Welfare.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 119 with amendment, 386 with amendment, 669 with amendment and 1077 with amendment; also, recommend that Senate Bills Nos. 445 with amendments, 682 with amendment and 825 with amendments be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson March 22, 2017

The Speaker announced that he had referred Senate Bills Nos. 119 with amendment, 386 with amendment, 669 with amendment and 1077 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 445 with amendments, 682 with amendment and 825 with amendments to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 219 with amendment, 435 with amendment, 614 with amendment and 710; Senate Joint Resolutions Nos. 78, 109 and 209; and House Joint Resolution No. 90; also, recommend that Senate Bills Nos. 558 with amendment, 720 with amendment and 1014 with amendment be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson March 22, 2017

The Speaker announced that he had referred Senate Bills Nos. 219 with amendment, 435 with amendment, 614 with amendment and 710; Senate Joint Resolutions Nos. 78, 109 and 209; and House Joint Resolution No. 90 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 558 with amendment, 720 with amendment and 1014 with amendment to the Committee on Finance, Ways and Means.

HEALTH AND WELFARE

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 154 with amendment, 448 with amendment, 738, 1238 with amendment and 1270 with amendment; also, recommend that Senate Bill No. 639 with amendment be referred to Committee on Finance, Ways and Means.

CROWE, Chairperson March 22, 2017

The Speaker announced that he had referred Senate Bills Nos. 154 with amendment, 448 with amendment, 738, 1238 with amendment and 1270 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 639 with amendment to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 1426, 1436 and 1437** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 1426 by Senator Tracy.

Taxes, Sales -- As introduced, allows retailers to deduct bad debt written off by a lender from a private label credit card account on the retailer's sales tax return under certain conditions. Amends TCA Section 67-6-507.

Senate Bill No. 1436 by Senator Stevens.

Kenton -- Subject to local approval, requires purchases or contracts of more than \$500 to be approved by the governing body; requires expenditures or contracts of more than \$10,000 to be made only after sealed bids have been invited. Amends Chapter 87 of the Private Acts of 1981.

Senate Bill No. 1437 by Senator Southerland.

Greene County -- Subject to local approval, creates two divisions within the general sessions court in Greene County; establishes the office of a second judge to preside over the second division. Amends Chapter 170 of the Private Acts of 1955.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 58, 173, 309, 318, 344, 520, 589, 644, 733, 752 and 1366** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 58 -- Public Records -- As introduced, requires a records custodian, if that records custodian requires a request for copies of public records to be in writing, to accept a handwritten request submitted in person or by mail, an email request, or a request on an electronic form submitted online; requires a request for a records request form to be provided by the most expeditious means possible. Amends TCA Title 10, Chapter 7, Part 5.

House Bill No. 173 -- State Government -- As introduced, clarifies that state law preempts local government enactments with respect to the regulation of and appropriate sanctions for conduct involving drugs and other similar substances. Amends TCA Title 9; Title 39, Chapter 17; Title 40; Title 53, Chapter 11; Title 54 and Title 67.

House Bill No. 309 -- Education -- As introduced, revises present law concerning the use of assessment data. Amends TCA Section 10-7-504; Title 49, Chapter 1, Part 3 and Title 49, Chapter 1, Part 6.

House Bill No. 318 -- Taxes -- As introduced, delays effective date of certain streamlined sales tax provisions until July 1, 2019. Amends TCA Title 67; Chapter 72 of the Public Acts of 2011; Chapter 273 of the Public Acts of 2015; Chapter 480 of the Public Acts of 2013; Chapter 530 of the Public Acts of 2009 and Chapter 602 of the Public Acts of 2007.

House Bill No. 344 -- Victims' Rights -- As introduced, makes the identifying information of the minor victim of a criminal offense confidential and not open to inspection by members of the public, unless a court waives the confidentiality at the request of the minor's parent. Amends TCA Title 10, Chapter 7; Title 37; Title 38 and Title 39.

House Bill No. 520 -- Libraries -- As introduced, revises provisions related to the operation of local libraries and the state regional library system; specifies terms for board service. Amends TCA Title 3, Chapter 1; Title 10, Chapter 3; Title 10, Chapter 5; Title 10, Chapter 8; Title 10, Chapter 1 and Title 40, Chapter 39.

House Bill No. 589 -- Taxes, Hotel Motel -- As introduced, clarifies that a municipality may adopt more than one ordinance to impose a hotel tax if the aggregate total tax does not exceed 5 percent. Amends TCA Title 67, Chapter 4, Part 14.

House Bill No. 644 -- Historical Sites and Preservation -- As introduced, clarifies that renovations of memorials are excluded from the petition for waiver process under the Tennessee Heritage Protection Act of 2016; excludes from coverage under the act buildings and structures that have reached the end of their useful lives and are approved for demolition by the state building commission. Amends TCA Section 4-1-412.

House Bill No. 733 -- Game and Fish Laws -- As introduced, establishes that requirements on the size, placement and inspection of steel traps used in the taking of wildlife be set by rule or proclamation of the fish and wildlife commission, as necessary, rather than by statute. Amends TCA Title 70, Chapter 1, Part 1 and Section 70-4-120.

House Bill No. 752 -- Orders of Protection -- As introduced, permits a person who is granted an order of protection and who is not otherwise prohibited from purchasing, possessing, or transporting a firearm to carry a handgun for 60 days after the initial order of protection is issued. Amends TCA Title 36, Chapter 3, Part 6 and Title 39, Chapter 17, Part 13.

House Bill No. 1366 -- Criminal Offenses -- As introduced, gives immunity from civil or criminal liability to a person for making a report to law enforcement of suspicious activity or behavior if the report is based on articulable suspicion. Amends TCA Title 39, Chapter 13, Part 8.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1434 and 1435** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 1434 Local bill -- held on desk.

Senate Bill No. 1435 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 258 through 271**; and **Senate Resolutions Nos. 36 and 37** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 258 by Mr. Speaker McNally. Memorials, Recognition -- Clinton Police Department.

Senate Joint Resolution No. 259 by Senator Ketron.

Memorials, Sports -- Randy Coffman, Naismith Girls' High School Coach of the Year.

Senate Joint Resolution No. 260 by Senator Ketron.

Memorials, Sports -- Coach Kermit Davis.

Senate Joint Resolution No. 261 by Senator Beavers.

Memorials, Recognition -- Central High School, 100th Anniversary.

Senate Joint Resolution No. 262 by Senators Ketron and Tracy.

Memorials, Sports -- Middle Tennessee State University Blue Raiders.

Senate Joint Resolution No. 263 by Mr. Speaker McNally and Senator Johnson. General Assembly, Confirmation of Appointment -- Keith Jordan, Tennessee Regulatory Authority.

Senate Joint Resolution No. 264 by Senator Southerland. Memorials, Retirement -- Dr. Nancy B. Moody.

Senate Joint Resolution No. 265 by Senator Southerland. Memorials, Recognition -- Great Smoky Mountains Association.

Senate Joint Resolution No. 266 by Senator Southerland. Memorials, Recognition -- Elizabeth Hicks Williams.

Senate Joint Resolution No. 267 by Senator Southerland. Memorials, Recognition -- Sergeant Brandon M. Read.

Senate Joint Resolution No. 268 by Senator Massey. Memorials, Recognition -- TCAT Knoxville, 50th Anniversary.

Senate Joint Resolution No. 269 by Senator Bailey. Memorials, Death -- Vernon Neal.

Senate Joint Resolution No. 270 by Senator Hensley.

Memorials, Recognition -- Georgia Willow Jones, 2017 Tennessee Tar Wars Poster Contest.

Senate Joint Resolution No. 271 by Senator Dickerson. Memorials, Death -- Spencer Hays.

Senate Resolution No. 36 by Senator Gardenhire. Memorials, Recognition -- The Junior League of Chattanooga, 100th Anniversary.

Senate Resolution No. 37 by Senator Dickerson. Memorials, Recognition -- Cystic Fibrosis Awareness Month, May 2017.

MOTION

Senator Norris moved, pursuant to Rule 21, House Joint Resolutions Nos. 209 through 216; and Senate Joint Resolutions Nos. 249 through 254, 256 and 257 lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 209 -- Memorials, Death -- Jay West.

The Speaker announced that he had referred House Joint Resolution No. 209 to the Committee on Calendar.

House Joint Resolution No. 210 -- Memorials, Death -- Trooper Mark Keith Self.

The Speaker announced that he had referred House Joint Resolution No. 210 to the Committee on Calendar.

House Joint Resolution No. 211 -- Memorials, Death -- Alvin Carmany.

The Speaker announced that he had referred House Joint Resolution No. 211 to the Committee on Calendar.

House Joint Resolution No. 212 -- Memorials, Death -- Shields Worth Richardson.

The Speaker announced that he had referred House Joint Resolution No. 212 to the Committee on Calendar.

House Joint Resolution No. 213 -- Memorials, Recognition -- Ramp Festival, May 12-13, 2017.

The Speaker announced that he had referred House Joint Resolution No. 213 to the Committee on Calendar.

House Joint Resolution No. 214 -- Memorials, Public Service -- Gregory A. Mays.

The Speaker announced that he had referred House Joint Resolution No. 214 to the Committee on Calendar.

House Joint Resolution No. 215 -- Memorials, Personal Occasion -- Sue Malone, 100th Birthday.

The Speaker announced that he had referred House Joint Resolution No. 215 to the Committee on Calendar.

House Joint Resolution No. 216 -- Memorials, Recognition -- City of La Vergne, 45th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 216 to the Committee on Calendar.

Senate Joint Resolution No. 249 -- Memorials, Recognition -- Smoky Mountain Field School, 40th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 249 to the Committee on Calendar.

Senate Joint Resolution No. 250 -- General Assembly, Statement of Intent or Position -- Expresses support for adult immunizations.

The Speaker announced that he had referred Senate Joint Resolution No. 250 to the Committee on Health and Welfare.

Senate Joint Resolution No. 251 -- Memorials, Retirement -- Chris Hamby.

The Speaker announced that he had referred Senate Joint Resolution No. 251 to the Committee on Calendar.

Senate Joint Resolution No. 252 -- Memorials, Recognition -- William H. Bodaford.

The Speaker announced that he had referred Senate Joint Resolution No. 252 to the Committee on Calendar.

Senate Joint Resolution No. 253 -- Memorials, Recognition -- Kay Senter, Good Scout Award.

The Speaker announced that he had referred Senate Joint Resolution No. 253 to the Committee on Calendar.

Senate Joint Resolution No. 254 -- Constitutional Conventions -- Rescinds a resolution from the 109th General Assembly that called for an Article V convention of the states to propose amendments to the United States Constitution.

The Speaker announced that he had referred Senate Joint Resolution No. 254 to the Committee on Judiciary.

Senate Joint Resolution No. 256 -- Memorials, Death -- Leo Willis Phillips.

The Speaker announced that he had referred Senate Joint Resolution No. 256 to the Committee on Calendar.

Senate Joint Resolution No. 257 -- Memorials, Personal Occasion -- Lessie Virginia Jackson, 100th Birthday.

The Speaker announced that he had referred Senate Joint Resolution No. 257 to the Committee on Calendar.

RECALL OF BILL

On motion of Senator Bell, **Senate Joint Resolution No. 254** was recalled from the Committee on Judiciary.

WITHDRAWAL OF BILL

On motion of Senator Bell, Senate Joint Resolution No. 254 was withdrawn from the Senate.

NOTICES

MESSAGE FROM THE HOUSE

March 20, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1201, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 20, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 709, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER, Chief Clerk

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 212 -- Memorials, Retirement -- Pam Fansler.

Senate Joint Resolution No. 213 -- Memorials, Death -- Martin Joseph Skinner.

Senate Joint Resolution No. 214 -- Memorials, Death -- Hazel Kathleen Bryan Yarbrough.

Senate Joint Resolution No. 215 -- Memorials, Professional Achievement -- Gary Beatty, Trainer of the Year.

Senate Joint Resolution No. 216 -- Memorials, Recognition -- Cortney Edmondson, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 217 -- Memorials, Recognition -- Concetta Smith, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 218 -- Memorials, Recognition -- Krissie Binkley Self, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 219 -- Memorials, Recognition -- Lauren Riegle, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 220 -- Memorials, Recognition -- Allison Plattsmier, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 221 -- Memorials, Recognition -- Lindsey Morgan, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 222 -- Memorials, Recognition -- Margaret Marchetti, 2017 Nashville's 30 Under 30.

Senate Joint Resolution No. 223 -- Memorials, Recognition -- Shannon M. Yeater, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 224 -- Memorials, Recognition -- Sarah H. Wilson, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 225 -- Memorials, Recognition -- Emily H. Williams, 2017 Nashville's Top 30 Under 30.

- **Senate Joint Resolution No. 226** -- Memorials, Recognition -- Brittni Walker, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 227** -- Memorials, Recognition -- Mary Margo Turner, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 228** -- Memorials, Recognition -- Kelley Strange, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 229** -- Memorials, Recognition -- Andrew W. Smyth, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 230** -- Memorials, Recognition -- Austin Grae Fabel, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 231** -- Memorials, Recognition -- Nicholas A. Deidiker, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 232** -- Memorials, Recognition -- Eric S. Deems, 2017 Nashville's Top 30 under 30.
- **Senate Joint Resolution No. 233** -- Memorials, Recognition -- Brad W. Craig, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 234** -- Memorials, Recognition -- Taylor Jarvis Askew, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 235** -- Memorials, Recognition -- Shelby Cowman, Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 236** -- Memorials, Recognition -- Rebekah Carroll, Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 237** -- Memorials, Recognition -- Anna Claire Lowder, Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 238** -- Memorials, Recognition -- Julia Bonner, Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 239** -- Memorials, Recognition -- Caroline Anderson, Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 240** -- Memorials, Recognition -- Leigh Adams, Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 241** -- Memorials, Recognition -- Shannon Lapsley, 2017 Nashville's Top 30 Under 30.
- **Senate Joint Resolution No. 242** -- Memorials, Recognition -- Kristen Korzenowski, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 243 -- Memorials, Recognition -- Miller Hunt, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 244 -- Memorials, Recognition -- Kimberly Faye, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 245 -- Memorials, Recognition -- Kristyn Michelle Edwards, 2017 Nashville's Top 30 Under 30.

Senate Joint Resolution No. 246 -- Memorials, Sports -- Riverdale High School girls' basketball team, TSSAA Class AAA State Champions.

Senate Joint Resolution No. 247 -- Memorials, Interns -- Ross Colona.

Senate Joint Resolution No. 248 -- Memorials, Personal Achievement -- Taw Owens, Eagle Scout.

Senate Resolution No. 27 -- Memorials, Personal Occasion -- Marla Higginbotham, 60th Birthday.

Senate Resolution No. 28 -- Memorials, Interns -- Logan Farr.

Senate Resolution No. 29 -- Memorials, Personal Achievement -- Kolton William Collett, Eagle Scout.

Senate Resolution No. 30 -- Memorials, Personal Achievement -- Isaac W. Ellison V, Eagle Scout.

Senate Resolution No. 31 -- Memorials, Personal Achievement -- Jared S. Travis, Eagle Scout.

House Joint Resolution No. 205 -- Memorials, Death -- Dr. Luther M. Kindall.

House Joint Resolution No. 206 -- Memorials, Retirement -- Kelsie Jones.

House Joint Resolution No. 207 -- Memorials, Recognition -- Jack and Jill of America, Inc.

House Joint Resolution No. 208 -- Memorials, Sports -- JaCorey Williams, C-USA Player of the Year.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 20 -- Aircraft and Airports -- As introduced, confers certain powers on regional airport authorities to borrow money for corporate purposes and issue revenue bonds. Amends TCA Title 9; Title 42, Chapter 4 and Title 42, Chapter 3.

Senate Bill No. 676 -- Motor Vehicles -- As introduced, authorizes a person to operate a platoon on the streets and highways of this state after the person provides notification to the department of transportation and the department of safety. Amends TCA Title 5; Title 6; Title 7; Title 39; Title 40; Title 54; Title 55; Title 56; Title 65 and Title 67.

Senator Norris declared Rule 13 on Senate Bill No. 676.

Senate Bill No. 683 -- Water Pollution -- As introduced, requires public water systems for which a monthly fluoride test is confirmed by quarterly laboratory analysis to exceed 1.5 mg/L to have each monthly test analyzed by a laboratory until fluoride levels are below 1.5 mg/L for three consecutive months. Amends TCA Title 68, Chapter 221, Part 7.

Senate Bill No. 700 -- Highways, Roads and Bridges -- As introduced, makes permanent the provision allowing counties to provide 2 percent matching funds for state-aid highway funds rather than 25 percent that was set to expire July 1, 2017. Amends TCA Section 54-4-404.

Senate Bill No. 811 -- Motor Vehicles -- As introduced, authorizes off-highway vehicles on certain state routes in Campbell County. Amends TCA Section 55-8-185.

Senate Joint Resolution No. 105 -- General Assembly, Confirmation of Appointment -- Dennis A. Gardner, Tennessee Fish and Wildlife Commission.

Senate Joint Resolution No. 155 -- General Assembly, Confirmation of Appointment -- James Stroud, Tennessee Fish and Wildlife Commission.

Senate Joint Resolution No. 174 -- General Assembly, Confirmation of Appointment -- Angela Box, Tennessee Fish and Wildlife Commission.

Senate Joint Resolution No. 175 -- General Assembly, Confirmation of Appointment -- Tom Midyett, State Forestry Commission.

Senate Joint Resolution No. 176 -- General Assembly, Confirmation of Appointment -- Kent Woods, Tennessee Fish and Wildlife Commission.

Senate Joint Resolution No. 177 -- General Assembly, Confirmation of Appointment -- Brian McLerran, Tennessee Fish and Wildlife Commission.

Senator Massey moved that all Senate Joint Resolutions be adopted; and all Senate Bills be passed on third and final consideration, which motion prevailed by the following vote:

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 152 -- Motor Vehicles -- As introduced, authorizes motorcycle dealers to obtain a temporary permit from the motor vehicle commission to offer to sell or sell motorcycles from a temporary site once per year. Amends TCA Title 55, Chapter 17.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 17, is amended by adding the following as a new part:

55-17-501.

As used in this part:

- (1) "Motorcycle dealer" means a motor vehicle dealer licensed pursuant to part 1 of this chapter, and engaged in the business of selling, offering for sale, soliciting, or advertising the sale of new or used motorcycles and accessories; and
- (2) "Special event" means a location other than a motorcycle dealer's established place of business at which new or used motorcycles are sold, offered for sale, solicited, or advertised for which a special event permit has been issued by the motor vehicle commission.

55-17-502.

- (a) Any motorcycle dealer desiring to stage a special event must obtain a special event permit issued by the motor vehicle commission.
- (b) To obtain a special event permit, the motorcycle dealer shall provide, on a form provided by the commission, the following:
 - (1) The address, including county, of the motorcycle dealer's established place of business;
 - (2) The address, including county, of the special event site location:

- (3) The dates and hours of the special event site sale; and
- (4) The name, address, and contact person of any sponsors, promoters, and lending institutions involved in or to be represented at the special event site sale.
- (c) The filing fee for each application for a special event permit shall be one thousand two hundred dollars (\$1,200).
- (d) Manufacturers and vendors who wish to exhibit at a special event must acquire an exhibition permit from the commission. The fee for each exhibition permit shall be two hundred fifty dollars (\$250).
- (e) Motorcycle dealers who wish to participate in the special event must purchase a dealer's permit from the commission. The participant fee is one hundred dollars (\$100).
 - (f) Only one (1) special event permit shall be issued under this section.
- (g) A special event permit shall be valid for seven (7) consecutive days and for the dates and hours of the sale as indicated on the application submitted to the commission and shall be prominently displayed at the special event site at all times during the sale. A special event permit is not transferable to any other person or entity.

55-17-503.

- (a) The sales price of each motorcycle displayed at the special event site shall be prominently displayed with the motorcycle. Any warranty information associated with the motorcycle shall be available upon request. Financing and insurance shall be available at the event.
- (b) Any motorcycle dealer displaying motorcycles at the special event shall have a representative present at all times during the event.
- (c) All licensed motorcycle dealers in this state may participate in such event.
- (d) Prior to obtaining a special event permit, a motorcycle dealer shall submit official written documentation from the corporate office of the motorcycle dealer's manufacturer or distributor indicating that the special event site location does not encroach on a dealer's relevant market area of another motorcycle dealer of the same line-make.
- (e) Prior to obtaining a dealer's permit to participate in a special event, the motorcycle dealer shall submit official written documentation from the corporate office of the motorcycle dealer's manufacturer or distributor indicating that the special event site location does not encroach on a relevant market area of another motorcycle dealer of the same line-make.

55-17-504.

This part is deleted on June 30, 2018.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 152**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 162 -- Motor Vehicles, Titling and Registration -- As introduced, clarifies that renewals of the registration of certain vehicles whose original expiration date was extended from February 28, 1997, to March 31, 1997, be available for renewal on March 1 of each year. Amends TCA Section 55-4-104.

Senator Norris declared Rule 13 on Senate Bill No. 162.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-104(c)(2), is amended by deleting the language "eighteen (18) months" and substituting instead the language "twenty-four (24) months"; and is further amended by deleting the language "eighteen-month" and substituting instead the language "twenty-four-month"; and is further amended by deleting the language "January 1, 2015" and substituting instead the language "July 1, 2017".

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 162**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 526 -- Advertising -- As introduced, adds a definition for the term "footprint." Amends TCA Title 54, Chapter 21.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-21-104(b), is amended by designating the existing language as subdivision (1) and adding the following language as subdivision (2):

- (2) For the purposes of issuing permits and regulating outdoor advertising devices in accordance with this chapter, the location of a permitted device shall be determined by the location of the supporting monopole, or by the location of the supporting pole nearest to the highway in the case of a device erected on multiple supporting poles; provided, however, that where a permitted multiple-pole device may be lawfully reconstructed, the replacement of the supporting poles with a monopole shall not be considered a change of location requiring a new permit if:
 - (A) The permittee gives advance notice to, and receives the prior approval of, the department before reconstructing the device;
 - (B) The monopole is erected within the line segment defined by the previous supporting poles; and
 - (C) The location of the monopole meets applicable spacing requirements.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 526**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 677 -- Child Custody and Support -- As introduced, eliminates the accrual of interest on child support arrearages. Amends TCA Title 36, Chapter 5.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-5-101(f)(1), is amended by deleting the following language:

If the full amount of child support is not paid by the date when the ordered support is due, the unpaid amount is in arrears, shall become a judgment for the unpaid amounts, and shall accrue interest from the date of the arrearage at the rate of twelve percent (12%) per year. All interest that accumulates on arrearages shall be considered child support. Computation of interest shall not be the responsibility of the clerk.

and substituting instead the following:

If the full amount of child support is not paid by the date when the ordered support is due, the unpaid amount is in arrears, shall become a judgment for the unpaid amounts, and shall accrue interest from the date of the arrearage at the rate of twelve percent (12%) per year; provided, that interest shall no longer accrue on or after the effective date of this act unless the court makes a written finding that interest shall continue to accrue. In making such finding, the court shall set the rate at which interest shall accrue after consideration of any factors the court deems relevant; provided, that the interest rate shall be no more than four percent (4%) per year. All interest that accumulates on arrearages shall be considered child support. Computation of interest shall not be the responsibility of the clerk.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 677**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--30.

Senator present and not voting was: Overbey--1.

A motion to reconsider was tabled.

Senate Bill No. 680 -- Motor Vehicles -- As introduced, removes restriction that off-highway vehicles only be operated during daylight hours during one day of each of two weekends per year in which the vehicles may be operated in Scott County. Amends TCA Section 55-8-185.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the following language from Section 1:

except, that during one (1) day on each weekend, the off-highway vehicles may be operated during the hours of daylight or nighttime.

and by substituting instead the following new language:

except, that during one (1) day on each weekend, the off-highway vehicles may be operated during the hours of daylight or nighttime until twelve o'clock (12:00) midnight.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 680**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 707 -- Industrial Development -- As introduced, requires the clerk or other recording official of the municipality to transmit to the appropriate assessors of property and to each taxing agency to be affected by an economic impact plan, a copy of the description of all property within the area subject to the plan within 30 days after its approval. Amends TCA Title 7, Chapter 53 and Title 67, Chapter 5.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 53, Part 3, is amended by adding the following as a new section:

- (a) As used in this section:
- (1) "Local government" means any home rule municipality located within any county having a population of not less than fifty-four thousand one hundred (54,100) nor more than fifty-four thousand two hundred (54,200), according to the 2010 federal census or any subsequent federal census; and
- (2) "Remediation site" means a site containing at least one thousand three hundred (1,300) acres that have been held by the United States department of energy due to an extended period of environmental remediation and conveyed by the United States department of energy to a nonprofit entity that is recognized as tax exempt by the internal revenue service and engaged in economic development.
- (b) Upon receiving all authorizations required by this chapter, on or after July 1, 2017, any and all parcels of property located on a remediation site in a local government may be transferred to the industrial development board of the local government consistent with the terms of the conveyance. The industrial development board is authorized to sell, lease, dispose of, or contract for the operation of the property in furtherance of the public purpose of promoting economic development in that area.
- (c) Upon transfer of the parcels to the industrial development board as provided in subsection (b), a lawful management or lease agreement shall be executed between the industrial development board and the nonprofit entity described in subdivision (a)(2), in which the United States department of energy's intent is clearly memorialized, including a provision that the nonprofit entity shall manage the remediation site and shall market the parcels to potential buyers in order to induce manufacturing, industrial, governmental, educational, financial, service, commercial, recreational, and agricultural enterprises to locate or remain in the area.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 707**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Johnson moved that **Senate Bill No. 894** be placed at the heel of the Calendar for today, which motion prevailed.

Senate Bill No. 902 -- Traffic Safety -- As introduced, imposes a fine of \$200 for violations of the offense of obstructing public highways and streets where the obstruction restricts emergency vehicle access. Amends TCA Title 39, Chapter 17; Title 54 and Title 55.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-307(c), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) Notwithstanding subdivision (c)(1), an offense under subdivision (a)(1) is a Class B misdemeanor and shall be punished by a fine of two hundred dollars (\$200) if, at the time of the violation, the person obstructs an emergency vehicle from accessing the highway or street, or highway's or street's right-of-way. As used in this subdivision (c)(2), "emergency vehicle" means any vehicle of a governmental department or public service corporation when responding to an emergency, any vehicle of a police or fire department, and any ambulance.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 902**, as amended, passed its third and final consideration by the following vote:

Ayes 28
Noes 2
Present, not voting 1

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Southerland, Stevens, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--28.

Senators voting no were: Harris and Kyle--2.

Senator present and not voting was: Yarbro--1.

A motion to reconsider was tabled.

Senate Bill No. 1335 -- Boats, Boating -- As introduced, requires the executive director of the wildlife resources agency, in consultation with the department of environment and conversation, to conduct a study of the risks associated with the use of nonmotorized vessels at outdoor recreation

areas located on waters of the state. Amends TCA Title 4; Title 11, Chapter 3; Title 39; Title 47; Title 56; Title 67; Title 68; Title 69 and Title 70.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. (a)(1) No later than July 1, 2017, the speaker of the senate and the speaker of the house of representatives shall establish an advisory task force to study issues associated with the use of non-motorized vessels on waters of the state, including, but not limited to, safety, education, access, rental operations, user conflicts, and fees.

- (2) The task force shall consist of six (6) members. The speaker of the senate and the speaker of the house of representatives shall each appoint three (3) members of the general assembly to the advisory task force.
- (3) Members of the task force shall serve only so long as they remain members of the general assembly. Any vacancy on the task force that occurs before January 1, 2018, shall be filled by appointment by the appropriate speaker.
- (b)(1) The advisory task force shall be convened by the member having the greatest number of years of continuous service within the general assembly.
- (2) The Tennessee wildlife resources agency shall provide administrative support services to the task force, as necessary.
- (3) The members of the task force shall serve without compensation, but shall be eligible for reimbursement for travel expenses in accordance with the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.
- (c) The advisory task force shall report its findings and recommendations to the governor, the speaker of the senate, and the speaker of the house of representatives no later than January 1, 2018, at which time the task force shall cease to exist.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1335**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Dickerson, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--28.

Senators voting no were: Crowe and Niceley--2.

Senator present and not voting was: Kelsey--1.

A motion to reconsider was tabled.

Senate Bill No. 1337 -- Mining and Quarrying -- As introduced, requires mine owners to include man hours, in lieu of the tons mined, on an annual report to the department of labor and workforce development; exempts mines subject to federal regulations from using an examination developed by the department for applicants for the position of mine foreman. Amends TCA Title 59.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 59-4-301(c), is amended by designating the existing language as subsection (d) and adding the following language as a new subsection:

(c)(1) As used in this section:

- (A) "Mining site" means all mines and the surrounding property used in mining operations; and
- (B) "Qualified assistant" means a person who is designated by the owner or operator to ensure that all legal, safety, and compliance standards are enforced.
- (2) A qualified assistant shall have the ability, training, knowledge, and experience to ensure compliance with all legally imposed safety standards.
- (3) A qualified assistant must be able to effectively communicate legally imposed safety standards to all persons present at the mining site.
- (4) A qualified assistant shall have the same authority as the foreman when the foreman is not present at the mining site.
- (5) A qualified assistant shall not be considered an agent or representative of the owner or operator for the purposes of § 59-4-302.
- (6) More than one (1) person may be designated as a qualified assistant, if circumstances or logistics related to the mining site so require.

- (7)(A) The designation by the owner or operator of a qualified assistant shall be in writing and specify the beginning and end dates of the designation.
- (B) The written designation required under subdivision (c)(7)(A) shall be prominently displayed at the office of the foreman on site, or displayed in such a manner that persons present at the mining site have actual notice of the designation.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1337**, as amended, passed its third and final consideration by the following vote:

Ayes								33
Noes								0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 1371 -- Air Pollution -- As introduced, decreases the number of copies from three to two of any air quality regulations adopted by a local government through reference in the local government's ordinance or resolution that must be filed in the office of the county clerk for inspection by the public. Amends TCA Title 68, Chapter 201.

Senator Overbey declared Rule 13 on **Senate Bill No. 1371**.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

- SECTION 1. Tennessee Code Annotated, Section 68-201-115(b)(3), is amended by deleting the subdivision in its entirety and substituting instead the following:
 - (3) The certificate of exemption may be granted if the board determines that:
 - (A) The municipality or county has enacted provisions for the control of air pollution not less stringent than this part;
 - (B) The enactments referenced in subdivision (b)(3)(A):
 - (i) Are being, or will be, adequately enforced;

- (ii) Further the preservation, protection, and enhancement of air quality in the municipality or county;
- (iii) Will not result in a negative adverse impact to the economic growth of the municipality or county, or result in economic disruption or unemployment; and
- (iv) Are consistent with, and in the interest of, the orderly administration of the municipality's or county's air pollution program; and
- (C) The granting of the certificate will not interfere with the state's goal of maintaining the purity of the air resources of the state;

SECTION 2. Tennessee Code Annotated, Section 68-201-115, is amended by adding the following new subsections:

- (f) No municipality or county shall include land use or zoning requirements in its air pollution control regulations or the municipality's or county's certificate of exemption granting the municipality or county the authority to enact the regulations.
- (g) No municipality or county shall request that the board include land use or zoning requirements in the state implementation plan submitted to the United States Environmental Protection Agency pursuant to 42 U.S.C. § 7410.

SECTION 3. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Johnson moved that **Senate Bill No. 1371**, as amended, be placed on the Calendar for Monday, March 27, 2017, which motion prevailed.

Senate Joint Resolution No. 77 -- General Assembly, Statement of Intent or Position -- Expresses support for conversion of Medicaid funding to a block grant and opposes expansion of Medicaid under the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148.

Senator Green declared Rule 13 on Senate Joint Resolution No. 77.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "per capita allotment" in the second resolving clause and substituting instead the language "similar models".

AND FURTHER AMEND by inserting the language "or similar models" immediately after the language "federal block grant" in the third resolving clause.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Joint Resolution No. 77**, as amended, was adopted by the following vote:

Ayes								28
Noes								3

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally-28.

Senators voting no were: Harris, Kyle and Yarbro--3.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rule 19 be suspended for the purpose of considering the Message Calendar next, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 117 -- Education, State Board of -- As introduced, authorizes rules and policies permitting the administration of medications for adrenal insufficiency in schools. Amends TCA Title 49 and Title 63.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, Part 16, is amended by adding the following as a new section:

- (a) As used in this section, unless the context requires otherwise:
- (1) "Adrenal crisis" means a sudden, severe worsening of symptoms associated with adrenal insufficiency, such as severe pain in the lower back, abdomen or legs, vomiting, diarrhea, dehydration, low blood pressure, or loss of consciousness:
- (2) "Adrenal insufficiency" means a hormonal disorder that occurs when the adrenal glands do not produce enough adrenal hormones;
- (3) "Nurse practitioner" means a nurse practitioner licensed under title 63, chapter 7; and
- (4) "Physician" means a physician licensed under title 63, chapter 6 or 9.

- (b) The state board of education, in consultation with the department of health, the board of nursing, the board of pharmacy, and the department of children's services, shall adopt:
 - (1) Rules for the administration of medication that treats adrenal insufficiency by school personnel trained in accordance with this section to any student on school premises whose parent or guardian has provided for the personnel the medication in accordance with subsection (e) and who the personnel believe in good faith is experiencing an adrenal crisis.
 - (2) Rules adopted under this subsection (b) must:
 - (A) Include guidelines on the designation and training of school personnel who will be responsible for administering medication; and
 - (B) Specify that a local education agency (LEA) is only required to train school personnel when the LEA has been notified by a parent or guardian that a student in a school of the LEA has been diagnosed with adrenal insufficiency.
 - (c)(1) Each local education agency board shall adopt policies and procedures that provide for the administration of medications that treat adrenal insufficiency.
 - (2) Policies and procedures adopted under subdivision (c)(1) shall be consistent with the rules adopted by the state board of education under subsection (b). An LEA board shall not require school personnel who have not received appropriate training to administer medication.
- (d) Educational training on the treatment of adrenal insufficiency, as required by this section, shall be conducted under the supervision of a physician or nurse practitioner. The training may be conducted by any other health care professional licensed under title 63 as delegated by a supervising physician or nurse practitioner. The curricula shall include, at a minimum, the following subjects:
 - (1) General information about adrenal insufficiency and the dangers associated with adrenal insufficiency;
 - (2) Recognition of the symptoms of a person who is experiencing an adrenal crisis;
 - (3) The types of medications that are available for treating adrenal insufficiency; and
 - (4) Proper administration of medications that treat adrenal insufficiency.
- (e) A person who has successfully completed educational training in the treatment of adrenal insufficiency as described in subsection (d) may receive from the parent or guardian of a student a medication that treats adrenal insufficiency and that is prescribed by a health care professional who has appropriate prescriptive

privileges and is licensed under title 63, as well as the necessary paraphernalia for administration. The person may possess the medication and administer the medication to the student for whom the medication is prescribed if the student is suffering an adrenal crisis in an emergency situation when a licensed health care professional is not immediately available.

(f) An LEA employee administering the medication or performing healthcare procedures related to the administration of medication that treats adrenal insufficiency and a board of education authorizing the administration of medications or the performance of healthcare procedures related to adrenal insufficiency shall not be liable in any court of law for injury resulting from the administration of such medication or the performance of any related healthcare procedure if administered or performed in accordance with this section.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

Senator Briggs moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 117**, which motion prevailed by the following vote:

Ayes								29
Noes								0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

MOTION

Senator Bailey moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1078** on the calendar for the Committee on Transportation and Safety for Monday, March 27, 2017, which motion prevailed.

MOTION

Senator Bailey moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 217**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 217 -- Memorials, Personal Achievement -- Grant William Gammon, Eagle Scout.

On motion of Senator Bailey, the rules were suspended for the immediate consideration of the resolution.

On motion, House Joint Resolution No. 217 was concurred in.

A motion to reconsider was tabled.

MOTION

Senator Massey moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 268**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 268 -- Memorials, Recognition -- TCAT Knoxville, 50th Anniversary.

On motion of Senator Massey, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 268** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Hensley moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 188, 190 and 1157** on the calendar for the Committee on Health and Welfare for Wednesday, March 29, 2017, which motion prevailed.

MOTION

Senator Norris moved the Proposed Schedule for the week of March 27, 2017, be adopted and made the action of the Senate, which motion prevailed.

TENNESSEE STATE SENATE 110th GENERAL ASSEMBLY

SCHEDULE WEEK OF MARCH 27, 2017

MONDAY, MARCH 27, 2017

12:30 p.m. Transportation & Safety Committee – **FINAL MEETING**2:30 p.m. Energy, Agriculture & Natural Resources Committee –

FINAL MEETING

4:00 p.m. SESSION – SENATE CHAMBER

TUESDAY, MARCH 28, 2017

8:30 a.m. Finance, Ways & Means Committee
10:30 a.m. State & Local Government Committee
12:30 p.m. Lunch

1:30 p.m. Commerce & Labor Committee

3:30 p.m. Judiciary Committee

WEDNESDAY, MARCH 29, 2017

8:30 a.m. Government Operations Committee

10:00 a.m. Transportation & Safety Committee – **FINAL MEETING**11:00 a.m. Energy, Agriculture & Natural Resources Committee –

FINAL MEETING

12:00 noon Lunch

12:30 p.m. Health & Welfare Committee

2:30 p.m. Education Committee

THURSDAY, MARCH 30, 2017

8:30 a.m. SESSION – SENATE CHAMBER

OTHER MEETINGS

Monday, March 27, 2017

- * Joint Government Operations a "Self Sufficiency" hearing, at 11:45 a.m., Room 30 LP
- * Joint Government Rule Review, at 12:00 noon, Room 30 LP
- * Council on Pensions & Insurance, at 2:30 p.m., Room 29 LP

Tuesday, March 28, 2017

* Pre-Commerce & Labor Committee, at 7:30 a.m., in Room 12 LP

Thursday, March 30, 2017

- * Fiscal Review Committee, at 10:30 a.m., Room 16 LP
- * Senate Ethics Committee, at 10:30 a.m.

RECALL OF BILL

On motion of Speaker Pro Tempore Haile, **Senate Bill No. 226** was recalled from the Committee on Judiciary.

REFERRAL OF BILL

Speaker Pro Tempore Haile moved that Senate Bill No. 226 be referred to the Committee on Commerce and Labor, which motion prevailed.

MOTION

On motion of Senator Lundberg, his name was added as prime sponsor of **Senate Bills Nos. 13 and 151.**

On motion of Senator Crowe, his name was added as sponsor of Senate Bill No. 20.

On motion of Senators Overbey, Bowling and Lundberg, their names were added as sponsors of **Senate Bill No. 24.**

On motion of Senator Crowe, his name was added as prime sponsor of **Senate Bill No. 124.**

On motion of Senator Roberts, his name was added as prime sponsor of **Senate Bill No.** 131.

On motion of Senator Bell, his name was added as sponsor of Senate Bill No. 132.

On motion of Senator Massey, her name was added as sponsor of **Senate Bills Nos. 185**, **367**, **558** and **758**; and **Senate Resolution No. 35**.

On motion of Senator Dickerson, his name was added as sponsor of Senate Bill No. 197.

On motion of Senator Gardenhire, his name was added as sponsor of **Senate Bills Nos. 219** and **519**.

On motion of Senator Yarbro, his name was added as sponsor of **Senate Bills Nos. 327**, **564 and 708**.

On motion of Senators Bell, Crowe and Harris, their names were added as sponsors of **Senate Bill No. 704.**

On motion of Senator Overbey, his name was added as prime sponsor of **Senate Bill No.** 723.

On motion of Senator Kelsey, his name was removed as sponsor of **Senate Bill No. 723.**

On motion of Senator Johnson, his name was added as prime sponsor of **Senate Bill No. 866**.

On motion of Senator Overbey, his name was removed as sponsor of **Senate Bill No. 866.**

On motion of Senator Ketron, his name was added as sponsor of **Senate Bills Nos. 902 and 1363.**

On motion of Senator Jackson, his name was added as sponsor of Senate Bill No. 930.

On motion of Senator Stevens, his name was added as prime sponsor of **Senate Bill No.** 1137.

On motion of Senator Kyle, her name was removed as sponsor of Senate Bill No. 1137.

On motion of Senator Bailey, his name was added as sponsor of **Senate Bill No. 1155.**

On motion of Senator Harris, his name was added as sponsor of Senate Bill No. 1270.

On motion of Senator Johnson, his name was added as sponsor of Senate Bill No. 1283.

On motion of Senator Yager, his name was added as sponsor of Senate Bill No. 1337.

On motion of Senator Dickerson, his name was added as prime sponsor of **Senate Bill No. 1415.**

On motion of Senators Norris, Kelsey, Hensley and Watson, their names were added as sponsors of **Senate Joint Resolution No. 77.**

On motion of Senator Southerland, his name was added as sponsor of **Senate Joint Resolution No. 105.**

On motion of Senator Kelsey, his name was added as sponsor of **Senate Joint Resolution No. 174.**

On motion of Senator Overbey, his name was added as sponsor of **Senate Joint Resolutions Nos. 175, 176 and 268.**

On motion of Senators Briggs and Overbey, their names were added as sponsors of **Senate Joint Resolution No. 212.**

On motion of Senator Watson, his name was added as sponsor of **Senate Joint Resolution No. 215.**

On motion of Senator Kyle, her name was added as sponsor of **Senate Joint Resolution No. 244.**

On motion of Senator Tracy, his name was added as sponsor of **Senate Joint Resolution No. 246**; and **House Joint Resolution No. 208**.

On motion of Senator Harper, her name was added as sponsor of **House Joint Resolutions Nos. 205 and 207.**

On motion of Senators Norris and Overbey, their names were added as sponsors of **House Joint Resolution No. 206.**

ENGROSSED BILLS

March 23, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 20, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON, Deputy Chief Clerk

ENGROSSED BILLS

March 23, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 162, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON, Deputy Chief Clerk

ENGROSSED BILLS

March 23, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 526, 676, 677, 680, 683, 700, 707, 811, 1335, 902 and 1337; and Senate Joint Resolutions Nos. 77, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248 and 268; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON, Deputy Chief Clerk

ENGROSSED BILLS

March 23, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 105, 155, 174, 175, 176 and 177; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 173, passed by the House.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 270, 348 and 1415; passed by the House.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 217, adopted, for the Senate's action.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 218 and 219, adopted, for the Senate's action.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 16, 167, 199, 426, 437, 518, 545, 690 and 747; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 105, 155, 174, 176 and 177; substituted for House Joint Resolutions on same subjects and concurred in by the House.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 255, concurred in by the House.

TAMMY LETZLER, Chief Clerk

ENROLLED BILLS

March 23, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 255, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON, Deputy Chief Clerk

ENROLLED BILLS

March 24, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 16, 117, 167, 199, 426, 437, 518, 545, 690 and 747; Senate Joint Resolutions Nos. 105, 155, 174, 176 and 177; and Senate Resolutions Nos. 27, 28, 29, 30 and 31; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 45, 330 and 985; for the signature of the Speaker.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 217, for the signature of the Speaker.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 24, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 205, 206, 207 and 208; for the signature of the Speaker.

TAMMY LETZLER, Chief Clerk

SIGNED

March 22, 2017

The Speaker announced that he had signed the following: Senate Bills Nos. 12, 54, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 70, 71, 72, 74, 75, 78, 79, 80, 81, 82, 85, 86, 87, 89, 90, 91, 93, 94, 95, 96, 98, 99, 100, 101, 104, 107, 108, 109, 110, 111, 141, 220, 417, 461, 547, 681, 996, 1013, 1074 and 1266; and House Bills Nos. 36 and 278.

SIGNED

March 23, 2017

The Speaker announced that he had signed the following: Senate Joint Resolution No. 255.

SIGNED

March 23, 2017

The Speaker announced that he had signed the following: House Joint Resolution No. 217.

SIGNED

March 24, 2017

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 105, 155, 174, 176 and 177; Senate Resolutions Nos. 27, 28, 29, 30 and 31; and House Joint Resolutions Nos. 205, 206, 207 and 208.

MESSAGE FROM THE HOUSE

March 22, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 12, 54, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 70, 71, 72, 74, 75, 78, 79, 80, 81, 82, 85, 86, 87, 89, 90, 91, 93, 94, 95, 96, 98, 99, 100, 101, 104, 107, 108, 109, 110, 111, 141, 220, 417, 461, 547, 681, 996, 1013, 1074 and 1266; signed by the Speaker.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 22, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 5, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 207 and 208; signed by the Speaker.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 23, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 255, signed by the Speaker.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

March 24, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 105, 155, 174, 176 and 177; signed by the Speaker.

TAMMY LETZLER, Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

March 22, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 5, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 207 and 208; for his action.

ALAN WHITTINGTON, Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

March 23, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 12, 54, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 70,

71, 72, 74, 75, 78, 79, 80, 81, 82, 85, 86, 87, 89, 90, 91, 93, 94, 95, 96, 98, 99, 100, 101, 104, 107, 108, 109, 110, 111, 141, 220, 417, 461, 547, 681, 996, 1013, 1074 and 1266; for his action.

ALAN WHITTINGTON, Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

March 24, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 105, 155, 174, 176, 177 and 255; for his action.

ALAN WHITTINGTON, Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

March 22, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 5, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 207 and 208; with his approval.

DWIGHT E. TARWATER, Counsel to the Governor

MESSAGE FROM THE GOVERNOR

March 24, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 114, 140, 142, 148, 228, 285, 314, 341, 399, 463, 490 and 598; with his approval.

DWIGHT E.TARWATER, Counsel to the Governor

REPORT OF COMMITTEE ON CALENDAR CONSENT CALENDAR # 1

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 27, 2017: Senate Joint Resolutions Nos. 249, 251, 252, 253, 256 and 257; and House Joint Resolutions Nos. 209, 210, 211, 212, 214, 215 and 216.

This the 24th day of March, 2017 MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR CONSENT CALENDAR # 2

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 27, 2017: Senate Bills Nos. 24, 69, 229, 240,

273, 361, 509, 708, 710, 738, 1167, 1211, 1262, 1322 and 1340; Senate Joint Resolutions Nos. 78, 109, 115, 180 and 209; and House Joint Resolutions Nos. 32 and 90.

This the 24th day of March, 2017 MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR LOCAL CALENDAR

Pursuant to Rule 26, the following bill has been set on the Consent Calendar for Monday, March 27, 2017: Senate Bill No. 1428.

This the 24th day of March, 2017 MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 27, 2017: Senate Joint Resolution No. 141; and Senate Bills Nos. 925, 894, 38, 144, 154, 195, 219, 322, 448, 510, 519, 611, 614, 695, 951, 1190, 1238, 274, 338, 362, 968 and 1371.

This the 24th day of March, 2017 MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR MESSAGE CALENDAR

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, March 27, 2017: Senate Bills Nos. 709 and 1201.

This the 24th day of March, 2017 MASSEY, Chairperson

ADJOURNMENT

Senator Norris moved the Senate adjourn until 4:00 p.m., Monday, March 27, 2017, which motion prevailed.